

REMARKS

Claims 1, 2 and 4-10 are pending in the application. Claims 1, 2 and 4-10 stand rejected. Claim 1 has been amended to state that the polymer film has a thickness of 1 to 5 millimeters. Support for this amendment is found at p. 8, lines 3-6 of the Specification. Accordingly, no new matter is added with this amendment.

Reply to the Rejection of Claims 1, 2 and 4-10 under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 1, 2 and 4-10 as being unpatentable over U.S. Patent No. 4,708,870 to Pardini ("Pardini"). For the following reasons, Applicants respectfully traverse the Examiner's rejection of claims 1, 2 and 4-10 as being rendered obvious by Pardini.

Pardini teaches a method for imparting non-fugitive antimicrobial activity to an article of manufacturing by forming the articles of manufacture from an acrylonitrile composition that includes up to 10% of a protonated amine (Abstract). The antimicrobial activity is inherent in the acrylonitrile composition (Abstract). The acrylonitrile composition is spun into fibers or yarn for use in the articles of manufacture (col. 3, line 63 – col. 4, line 18).

Pardini specifically limits the amount of protonated amine to no more than 10%, or 3 mole %, in order to achieve the antimicrobial activity. In contrast, the present Description states that if "the polymer has . . . too little protonated amine monomer, . . . the polymer will become insoluble even under lower pH conditions" (p. 6, last line – p. 7, end of 1st paragraph). Films containing 8.35 to 12.13 mol % protonated amine are exemplified in the present application. Therefore, Pardini provides no motivation to one skilled in the art to seek compositions having from at least 5 to 40 mole percent of protonated amine monomer units.

Pardini makes absolutely no reference to film coatings useful for coating, for example, laundry detergent tablets. In this respect, Pardini does not teach or suggest solid polymer films, particularly films having a thickness of 1-5 mil. Instead, Pardini teaches spinning its polymer into fiber or yarn. Claim 1 has been amended to make it clear that the present invention is directed towards polymeric film coatings as opposed to fiber or yarn taught by Pardini by defining the thickness of the film. Accordingly, Pardini provides absolutely no motivation to one

skilled in the art to look to polymers of protonated amine monomers and hydrophobic monomers for use as triggerable films.

Pardini does not teach or suggest its polymer being triggerably soluble in water based upon changes in pH, salt or surfactant concentration, or both. Rather, Pardini only suggests that its polymer is soluble in organic solvent (dimethyl formamide, col. 3, lines 65-66).

For at least these reasons, claims 1, 2 and 4-10 are not rendered obvious by Pardini. Withdrawal, therefore, of the rejection of claims 1-10 under 35 U.S.C. § 103(a) is respectfully requested. Allowance of the claims is believed to be in order, and such allowance is respectfully requested.

Respectfully submitted,

Dated:

16 October 2008

AKZO NOBEL INC.
120 White Plains Road, Suite 300
Tarrytown, New York 10591
Phone 914.333.7420
Fax 914.366.4097



David P. LeCroy
Attorney for Appellants
Reg. No. 37,869